Decision for dispute CAC-UDRP-108433

Case number	CAC-UDRP-108433
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Domain names	jcdcecaux.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	JCDECAUX SE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Athenian Consulting Solutions

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the international trademark JCDECAUX No. 803987, registered on November 27, 2001, covering goods and services in classes 6, 9, 11, 19, 20, 35, 37, 38, 39, 41 and 42.

FACTUAL BACKGROUND

The Complainant, JCDECAUX SE, is a global outdoor advertising company. Founded in 1964, the Complainant is listed on the Euronext Paris stock exchange and is part of the Euronext 100 index. It is present in more than 80 countries and 3,894 cities, employs 12,026 people and generated revenues of EUR 3.935 million in 2024.

The disputed domain name <jcdcecaux.com> was registered on February 19, 2026, and does not resolve to any active website. According to the Complainant, MX records have been configured, indicating that the disputed domain name has been set up for use in email communications.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 15 of the Rules provides that the Panel is to decide the complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

The onus is on the Complainant to make out its case and it is apparent, both from the terms of the Policy and the decisions of past UDRP panels, that the Complainant must show that all three elements set out in Paragraph 4 (a) of the Policy have been established before any order can be made to transfer a domain name. As the proceedings are administrative, the standard of proof is the balance of probabilities.

Thus, for the Complainant to succeed it must prove, within the meaning of Paragraph 4(a) of the Policy and on the balance of probabilities that:

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. The disputed domain name has been registered and is being used in bad faith.

The Panel has therefore dealt with each of these requirements in turn.

1. Identity of confusing similarity

The Complainant must first establish that there is a trademark or service mark in which it has rights. Since the Complainant shows to be the holder of the registered JCDECAUX trademark, which is used in connection with the Complainant’s advertising business, it is established that there is a trademark in which the Complainant has rights.

The disputed domain name <jcdcecaux.com> appears to be a misspelling of the Complainant’s JCDECAUX trademark: a letter “c” has been added between the letters "d" and "e". The Panel finds that this small addition does not prevent the disputed domain name from being confusingly similar to the Complainant’s mark and typically qualifies as “typosquatting” (see section 1.9 of the WIPO Overview 3.1).

It is well established that the Top-Level Domains (“TLDs”) such as “.com” may be disregarded when considering whether the disputed domain name is confusingly similar to the trademark in which the Complainant has rights (see section 1.11 WIPO Overview

3.1).

For these reasons, the Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark. Accordingly, the Complainant has made out the first of the three elements that it must establish.

2. No rights or legitimate interests

Under paragraph 4(a)(ii) of the Policy, the Complainant has the burden of establishing that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

It is established case law that it is sufficient for the Complainant to make a prima facie showing that the Respondent has no right or legitimate interest in the disputed domain name in order to shift the burden of proof to the Respondent (see section 2.1 WIPO Overview 3.1 and Champion Innovations, Ltd. V. Udo Dussling (45FHH), WIPO case No. D2005-1094; Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO case No. D2003-0455; Belupo d.d. v. WACHEM d.o.o., WIPO case No. 2004-0110).

The Panel notes that the Respondent does not seem to be commonly known by the disputed domain name and that the Respondent has not acquired trademark or service mark rights. According to the information provided by the Registrar, the Respondent is known as "ruka cook" from the organisation "Athenian Consulting Solutions". The Respondent's use and registration of the disputed domain name was not authorized by the Complainant. There are no indications that a connection between the Complainant and the Respondent existed.

Fundamentally, a respondent's use of a domain name will not be considered "fair" if it falsely suggests affiliation with the trademark owner. The correlation between a domain name and the complainant's mark is often central to this inquiry. In this case, given the distinctive character of the Complainant's mark, the Panel finds that the disputed domain name can be considered as a typosquatted version of the mark as it simply adds 1 letter in the middle of the mark. Panels will normally find that employing a misspelling in this way signals an intention on the part of the respondent to confuse users seeking or expecting the complainant (see section 1.9 of the WIPO Overview 3.1).

The disputed domain name is also almost identical to the domain name <jcdecaux.com> linked to the Complainant's official website, which further increases the risk of implied affiliation.

Beyond looking at the domain name and the nature of any additional terms appended to it, UDRP panels assess whether the overall facts and circumstances of the case, such as the content of the website linked to the disputed domain name and the absence of a response, support a fair use or not (see sections 2.5.2 and 2.5.3 of the WIPO Overview 3.1).

In this case, the Panel is of the opinion that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name. In fact, the disputed domain name does not resolve to any active website.

The Respondent had the opportunity to demonstrate its rights or legitimate interests but did not do so. In the absence of a Response from the Respondent, the prima facie case established by the Complainant has not been rebutted.

Therefore, the Panel finds that the Complainant has established that the Respondent has no rights or legitimate interests in the disputed domain name. In light of the above, the Complainant succeeds on the second element of the Policy.

3. Bad faith

The Complainant must prove on the balance of probabilities that the disputed domain name was registered in bad faith and that it is being used in bad faith (see section 4.2 of the WIPO Overview 3.1 and e.g. Telstra Corporation Limited v. Nuclear Marshmallow, WIPO Case No. D2000-0003; Control Techniques Limited v. Lektronix Ltd, WIPO Case No. D2006-1052).

According to the Panel, the awareness of a respondent of the complainant and/or the complainant's trademark rights at the time of registration can evidence bad faith (see Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz, WIPO Case No. D2011-2209; Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite, WIPO Case No. D2001-1070).

In the instant case, the Panel finds that the Respondent must have had knowledge of the Complainant's rights in the JCDECAUX trademark at the moment it registered the disputed domain name, since the disputed domain name is identical to the Complainant's distinctive JCDECAUX trademark except for the addition of one letter. The Complainant invokes a trademark which predates the disputed domain name by more than 20 years. Moreover, the well-known character of the Complainant's JCDECAUX trademark has been confirmed by at least one previous UDRP Panel (see JCDecaux SA v. Wang Xuesong, Wangxuesong, WIPO Case No. DCC2017-0003).

The Panel further holds that the misspelling of the Complainant's mark in the disputed domain name is a form of typosquatting which is further evidence of bad faith (see ESPN, Inc. v. XC2, WIPO Case No. D2005-0444; WestJet Airlines Ltd. v. Taranga Services Pty Ltd, WIPO Case No. D2010-1814; and Compagnie Générale des Etablissements Michelin v. Terramonte Corp, Domain Manager, WIPO Case No. D2011-1951).

According to the Complainant's evidence, the disputed domain name has been set up with MX records which suggests that it may be actively used for email purposes. In the above circumstances, the Panel finds that this is also indicative of bad faith.

In the Panel's view, the fact that the disputed domain name does not resolve to an active website does not prevent a finding of bad

faith under the doctrine of passive use given (i) the degree of distinctiveness or reputation of the Complainant's mark, and (ii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use (see section 3.3 of the WIPO Overview 3.1).

Therefore, the Panel finds that, on the balance of probabilities, it is sufficiently shown that the disputed domain name was registered and is being used in bad faith. In light of the above, the Complainant also succeeds on the third and last element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **jcdcecaux.com**: Transferred

PANELLISTS

Name	**Flip Petillion**

DATE OF PANEL DECISION 2026-03-31

Publish the Decision